

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

TYRONE P. JAMES.

Plaintiff

V.

YORK CITY POLICE  
DEPARTMENT, AGENT  
JAMES H. MORGAN, DET.  
RICHARD PEDDICORD, DET.  
RAYMOND E. CRAUL, SGT.  
GENE FIELDS, DET. KESSLER, DET.  
GLOWCZESKI, AGENT BRIAN  
WESTMORELAND, AGENT RANDY SIPES,  
C/O BAYTARK.

## Defendants

CIVIL ACTION NO. 1:01-cv-0113

(MANNING, M.J.)

**FILED**  
HARRISBURG, PA

APR 11 2005

MARY E. D'ANGELO, CLERK  
Per [Signature]  
Deputy Clerk

AFFIDAVIT IN SUPPORT OF PLAINTIFF'S MOTION FOR THE APPOINTMENT OF COUNSEL

I, Tyrone P. James, being duly sworn, deposes and says the following:

(1) I am the Plaintiff in the above captioned case. I make the Affidavit in support of my motion for the appointment of counsel.

(2) The Complaint in this matter alleges that the Plaintiff's constitutional rights were violated as well as assumed behavior by the Defendants.

(3) The Plaintiff was subsequently denied Due Process, is the outcome of this complex case. Plaintiff's, requested formal charges against the defendants.

(4) This is a complex case, because it contains several different legal claims, with each claims involving a different set of facts.

(5) The case involves medical issues that may require expert testimony.

(6) The Plaintiff has demanded a jury trial.

(7) The case will require more extensive discovery of the documents and deposition of a number of witnesses.

(8) The Testimony will be in sharp conflict, since the Plaintiff alleges that Defendants, failed to protect the Plaintiff's from assault and other

constitutional rights violations.

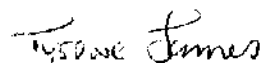
(9) The Plaintiff has only a high school education, some college, with no legal education.

(10) The Plaintiff is serving a sentence at the State Correctional Institution, at Lockview, Box A Bellefonte, PA 16823, for this reason he has very limited access to legal material and has no ability to investigate the facts of his case, for example, by locating, interviewing, the other witnesses that witness these violations.

(11) As set forth, in the "Memorandum of Law," submitted with this motion, these findings, along with the legal merits of the Plaintiff's claims support the appointment of counsel to represent the Plaintiff.

WHEREFORE, the Plaintiff's motion for the appointment of Counsel should be granted.

Date: April 1, 2005

  
Tyrone P. James

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